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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DVL, INC. and DVL KEARNY HOLDINGS, LLC,	:	Civil Action No. 17-4261 (KM) (JBC)
Plaintiffs,	:	JOINT STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE OF ALL PARTIES' REMAINING CLAIMS, COUNTER-CLAIMS AND CROSS-CLAIMS PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 41(a)(1)(A)(ii) & 41(c)
v.	:	
CONGOLEUM CORPORATION and BATH IRON WORKS CORPORATION,	:	
Defendants.	:	

**JOINT STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE OF ALL
PARTIES' REMAINING CLAIMS, COUNTER-CLAIMS AND CROSS-CLAIMS
PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 41(a)(1)(A)(ii) & 41(c)**

The parties DVL, Inc. and DVL Kearny Holdings, LLC (“DVL” or “Plaintiffs”), Defendant Bath Iron Works Corporation (“BIW”), and CC Oldco Corporation, successor to Defendant Congoleum Corporation (hereinafter “Congoleum”) (collectively, the “Parties”) respectfully

submit this Joint Stipulation pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 41(c). On June 8, 2021, the Parties submitted a joint stipulation in which the Parties stipulated that Congoleum's Cross-Claims against BIW in the above-captioned action (the "Action") were dismissed with prejudice. (Dkt. 207.) The Court entered the joint stipulation of dismissal of Congoleum's Cross-Claims against BIW, with prejudice, on June 9, 2021. (Dkt. 208.) On September 13, 2021, the Parties submitted a joint stipulation reflecting that DVL was dismissing, with prejudice, all of DVL's claims against BIW in the Action. (Dkt. 212)

The Parties hereby stipulate that the Parties are dismissing, with prejudice, any and all of their remaining claims, counter-claims, and/or cross-claims alleged in the Action. As a result of this joint stipulation, there will be no claims remaining against any party in the Action. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs voluntarily dismiss the Action in its entirety, with prejudice. Defendants BIW and Congoleum consent to the voluntary dismissal of the Action.

Dated: September 13, 2021

Respectfully submitted,

/s/ Ralph J. Marra

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SO ORDERED.

**s/ Kevin McNulty
Hon. Kevin McNulty
U.S. District Judge
Date: 9/17/2021**